

ORIGINAL
DO NOT REMOVE FROM DOCKET

PSC DOCKET #

09 - CPCN - 36

CR# 10200967/60462
9-21-09 5300, RB

Jackie
Katie
Donna
Lynisha
Jack

WIDEWATER UTILITIES INC.

DECLARED

2009 SEP 21 PM 12:31

Certificate of Public Convenience and Necessity Application

Kent County

Kent 81809

**APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY REQUIRED
TO BEGIN OR EXPAND THE BUSINESS
OF A PUBLIC WATER UTILITY**

BEFORE THE PUBLIC SERVICE COMMISSION

Application Fee \$300 for filing each extension to a CPCN
 \$750 for filing each original application for new water utility 26 Del. C. §114(a)

This form of application must be filed for each new and expanding water system pursuant to 26 Del. C. §203C.

WATER UTILITIES: Kent 81809

1. Basis for application:

- ☐ a. Water in the proposed service area does not meet the Regulations Governing Public Drinking Water Systems of the State Board of Health for human consumption; {26 Del. C., §203C (d)(2)(a)}; or
- ☐ b. Water supply in the proposed service area is insufficient to meet the projected demand; 26 Del. C., §203C (d)(2)(b)}; or
- ☐ c. The applicant is in possession of a signed service agreement with the developer of a proposed subdivision or development, which subdivision or development has been duly approved by the respective county government; {26 Del. C., §203C (e)(1)(a)}; or
- ☒ d. The applicant is in possession of a petition signed by all of the parcel owners of the proposed territory to be served; {26 Del. C., §203C (e)(1)(b)}; or **Exhibit A**
- ☐ e. The applicant is in possession of a duly certified copy of a resolution from the governing body of a county or municipality requesting the applicant to provide service to the proposed territory to be served; {26 Del. C., §203C (e)(1)(c)}.

2. To obtain a Certificate of Public Convenience and Necessity ("CPCN") to provide adequate water service to customers and meet the Regulations Governing Drinking Water Standards of the State Board of Health for human consumption {26 Del. C., §203C(a)}.

3. Tidewater Utilities, Inc. requests an informal fact finding procedure during review of application.

4. (a.) Full legal name and address of Applicant:
Tidewater Utilities, Inc.
1100 South Little Creek Road
Dover, Delaware 19901
- (b.) Full name of the Utility's designated representative:
Joseph C. Cuccinello
Emily R. Opdyke
- (c.) Phone no: 302-734-7500 X1014 or X1012
- (d.) Fax no: 302-734-9297
- (e.) Email address: jcuccinello@Tuiwater.com or eopdyke@tuiwater.com

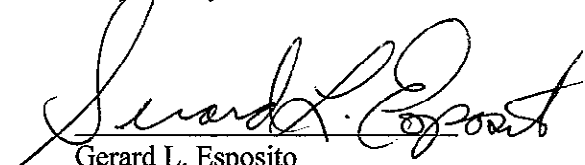
5. Supporting documentation required by 26 Del. C. §203C(e)(1), including evidence that all landowners of the proposed territory have been notified of application: **Exhibit B**

6. A complete list of county tax map parcel number(s) for the area covered by the application: **Exhibit C**

7. A complete list of county tax map parcel number(s) with corresponding names and addresses of property owners and a copy of the tax map(s) for the area: **Exhibit C**

8. The Applicant hereby certifies that the extension will satisfy the provisions of 26 Del. C. §403C, including:
- (a.) The Applicant is currently furnishing water to its present customers in Delaware in such a fashion that water pressure at every house supplies is at least 25 psi at all times at the service connection.
 - (b.) The Applicant shall furnish water to the house or separate location of each new customer in the Delaware at a pressure of at least 25 psi at each location or house at all times at the connection while continuing also to supply each old customer at a pressure of at least 25 psi at each house at all times at the service connection.
 - (c.) The Applicant is currently not subject to a finding by the appropriate federal or state regulatory authority that we have materially failed to comply with applicable safe drinking water or water quality standards; and
 - (d.) The Applicant is currently not subject to any Order issued by the Commission finding that Tidewater Utilities, Inc. has materially failed to provide adequate or proper safe water services to existing customers.
9. Copies of petitions signed by landowners showing a majority of the parcel owners of the proposed territory to be served agree with the filing of a CPCN to permit Applicant to provide them with public water. **Exhibit A**
10. (a.) A copy of the application must be sent to State Fire Marshall, Public Health Department, and Department of Natural Resources.
- 1.) The current status of such application is: **Sent**
 - (b.) The Applicant provides the following additional information with this application;
 - 1.) A corporate history including dates of incorporation, subsequent acquisitions and/or mergers, **On PSC File**
 - 2.) A chart, which depicts the inter-company relationships, **On PSC File**
 - 3.) A map identifying all areas, including all towns, cities, counties and other governments subdivisions to which service is already provided, **On PSC File**
 - 4.) All copies of Applicant's annual reports to stockholders and that of its subsidiaries, and parent for the last two years, **On PSC File**
 - 5.) Applicant's audited financial statements, 10K's and all proxy material for the last two years, **On PSC File**
 - 6.) Any additional information required by PSC Staff will be made available on request.

Respectfully submitted,


Gerard L. Esposito
President

TIDEWATER UTILITIES, INC.

"Southern Delaware's Premier Water Company Since 1964"

September 21, 2009

Mr. Kevin Neilson
Public Service Commission
861 Silver Lake Blvd.
Suite 100
Dover, DE 19904

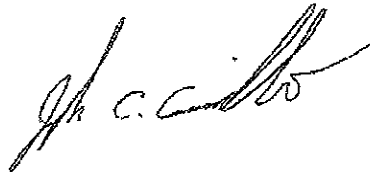
Re: CPCN Application – Kent 81809

Dear Mr. Neilson;

Enclosed you will find the CPCN application for Kent 81809 area located in Kent County, Delaware.

Two original and ten copies of the application have been included. A check payable to the Public Service Commission in the amount of \$300.00 has also been included for the application fee. If I can be of further assistance upon your review, please do not hesitate to contact me at 302-734-7500 Ext. 1014.

Respectfully,

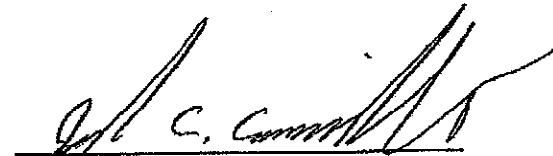


Joseph C. Cuccinello
CPCN Coordinator
Tidewater Utilities, Inc.

cc: Mr. Grover P. Ingle, SFMO w/enclosures
cc: Mr. Ed Hallock, DPH w/enclosures
cc: Ms. Katherine Bunting-Howarth, DNREC w/enclosures

Certification of Landowner Information Accuracy

By submitting this application, Tidewater Utilities, Inc. hereby certifies that we have reviewed the appropriate tax or land record documents; and that according to those documents, the landowners identified in the parcel lists are the landowners of record and that the petitions contained in this application have been signed by the landowners of record.



Joseph C. Cuccinello
CPCN Coordinator

EXHIBIT A

Tidewater (TUI) - Water Petition
1-800-523-7224
www.tuiwater.com

**PETITION FOR INCLUSION IN TIDEWATER UTILITIES, INC.
WATER SERVICE TERRITORY**

In accordance with 26 Delaware Code 203-C., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the water service territory of Tidewater Utilities, Inc. I/We understand that all of the property owners must sign this petition in order for Tidewater Utilities, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties:

Tax Parcel Number(s): MN00-199.00-01-29.00 MN00-198.00-01-43.00

Property Owner(s): L. Emerson & Ruth Ann Isaacs
 PO Box 607
 Greenwood, DE 19950

Owner's Signature(s): **X** L. Emerson Isaacs Date: 7/21/09

Owner's Signature(s): **X** Ruth Ann Isaacs Date: 7/21/09

Please sign and date at the **X** and then return the signed petition to the following address:

Tidewater Utilities, Inc.
1100 S. Little Creek Road
Dover, DE 19901

zn11

A-09-021
209-081 + 082

**PETITION FOR INCLUSION IN
TIDEWATER UTILITIES, INC.
WATER SERVICE TERRITORY**

In accordance with 26 Delaware Code 203-C.,
I/we, the undersigned, as the recorded property owners
according to current tax records for the following
property/properties, request to be included in the water
service territory of Tidewater Utilities, Inc. I/We under-
stand that all of the property owners must sign this peti-
tion in order for Tidewater Utilities, Inc to apply for a
Certificate of Public Convenience and Necessity
(CPCN) in order to provide water service to the follow-
ing property/properties:

Tax Parcel Number(s): MN00-193.00-01-31.00
MN00-187.00-01-31.01
MN00-193.00-01-22.00

Property Owner(s): Vernon E. Kershaw TR
2612 Grubb Rd
Wilmington, DE 19810

Owner's Signature(s):

X Vernon E. Kershaw

Date: 8-6-09

Owner's Signature(s):

X _____

Date: _____

Please sign at the X, date and return the signed
petition to the following address in the enclosed
self addressed stamped envelope.

Tidewater Utilities, Inc.
1100 South Little Creek Road
Dover, DE 19901

A-09-021
P-09-0177-
P-09-0178-
P-09-0179-

**PETITION FOR INCLUSION IN TIDEWATER UTILITIES, INC.
WATER SERVICE TERRITORY**

In accordance with 26 Delaware Code 203-C., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the water service territory of Tidewater Utilities, Inc. I/We understand that all of the property owners must sign this petition in order for Tidewater Utilities, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties:

Tax Parcel Number(s): DC00-003.00-02-23.00

Property Owner(s): Donald J Lynch
Richard A People
221 Gumboro Rd
Selbyville, DE 19975

Owner's Signature(s): **X** Ronald J. Lynch Date: 6/26/09

Owner's Signature(s): **X** Richard A. People Date: 6/26/09

Please sign and date at the **X** and then return the signed petition to the following address:

Tidewater Utilities, Inc.
1100 S. Little Creek Road
Dover, DE 19901

zn31

RECEIVED

9/1/09

A-09-021
R09-0161

Tidewater (TUI) - Water Petition
1-800-523-7224
www.tuiwater.com

**PETITION FOR INCLUSION IN TIDEWATER UTILITIES, INC.
WATER SERVICE TERRITORY**

In accordance with 26 Delaware Code 203-C., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the water service territory of Tidewater Utilities, Inc. I/We understand that all of the property owners must sign this petition in order for Tidewater Utilities, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties:

Tax Parcel Number(s): MN00-149.00-01-42.00

Property Owner(s): Frank G Melvin Jr
2936 Paradise Alley Rd
Harrington, DE 19952

Owner's Signature(s): **X** Frank G Melvin Jr Date: 7/12/08

Owner's Signature(s): **X** _____ Date: _____

Please sign and date at the **X** and then return the signed petition to the following address:

Tidewater Utilities, Inc.
1100 S. Little Creek Road
Dover, DE 19901

zn40

A-09-021
P-09-0169

EXHIBIT B

TIDEWATER

UTILITIES, INC.

"Southern Delaware's Premier Water Company Since 1964"

August 20, 2009

Certified Mail # 7007 3020 0002 5598 9720

L. Emerson & Ruth Ann Isaacs
PO Box 607
Greenwood, DE 19950

Dear L. Emerson & Ruth Ann Isaacs

Tidewater Utilities Inc. (Tidewater) would like to thank you for the receipt of your signed petition requesting Tidewater to provide water service to your property, parcel number MN00-199.00-01-29.00 & MN00-198.00-01-43.00 located in Kent County.

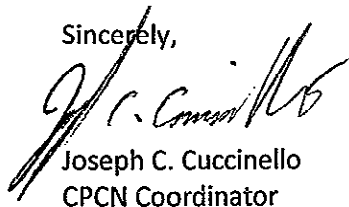
Tidewater will be submitting an application for a Certificate of Public Convenience and Necessity (CPCN) with the Public Service Commission (PSC) on or about **September 21, 2009**. Included with this letter is information that we are required to provide to all landowners within a proposed service territory prior to filing the application for a CPCN.

When the CPCN is granted, Tidewater will have the permission to provide public water service to your parcel. It is important for you, as the landowner, to know that when water service is made available to your parcel you are not obligated to connect to our water system as long as your current water supply is functioning properly. If you agree to have your property be part of this proposed service area, no action on your part is required at this time.

Tidewater understands that customer satisfaction and quality water are the foundation of our business. In 2007 Tidewater was awarded the Torch Award by the Delaware Better Business Bureau for our Marketplace Ethics. Tidewater a part of Middlesex Water Company was recently named one of America's 100 most trustworthy publicly traded firms according to Audit Integrity, Inc. In addition, Tidewater was voted Best Tasting Water in 2007 by Delaware Rural Water Association.

If you have any questions in regards to this matter please feel free to contact me at 1-800-523-7224 ext. 1014.

Sincerely,



Joseph C. Cuccinello
CPCN Coordinator

TIDEWATER

UTILITIES, INC.

"Southern Delaware's Premier Water Company Since 1964"

August 20, 2009

Certified Mail # 7007 3020 0002 5598 9713

Vernon E. Kershaw TR
2612 Grubb Rd
Wilmington, DE 19810

Dear Vernon E. Kershaw

Tidewater Utilities Inc. (Tidewater) would like to thank you for the receipt of your signed petition requesting Tidewater to provide water service to your property, parcel number MN00-193.00-01-31.00 & MN00-187.00-01-31.01 & MN00-193.00-01-22.00 located in Kent County.

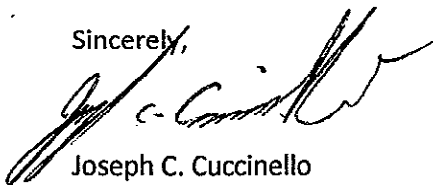
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CPCN Coordinator

TIDEWATER

UTILITIES, INC.

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August 20, 2009

Certified Mail # 7007 3020 0002 5598 9690

Donald J Lynch
Richard A People
221 Gumboro Rd
Selbyville, DE 19975

Dear Donald J Lynch & Richard A People

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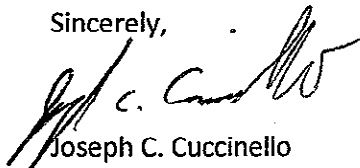
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Sincerely,



Joseph C. Cuccinello
CPCN Coordinator

TIDEWATER

UTILITIES, INC.

"Southern Delaware's Premier Water Company Since 1964"

August 20, 2009

Certified Mail # 7007 3020 0002 5598 9706

Frank G Melvin Jr
2936 Paradise Alley Rd
Harrington, DE 19952

Dear Frank G Melvin Jr

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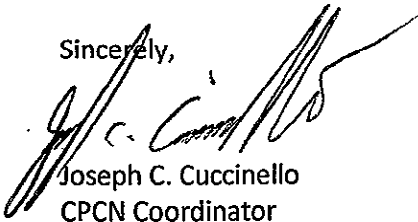
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Sincerely,



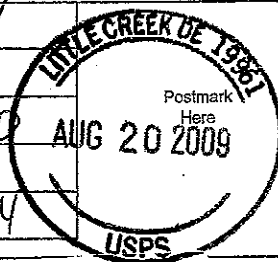
Joseph C. Cuccinello
CPCN Coordinator

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OFFICIAL USE

Postage \$.44
 Certified Fee 2.80
 Return Receipt Fee (Endorsement Required) 2.30
 Restricted Delivery Fee (Endorsement Required)
 Total Postage & Fees \$ 5.54



Sent To:
 L. Emerson & Ruth Ann Isaacs
 PO Box 607
 Greenwood, DE 19950
 PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

L. Emerson & Ruth Ann Isaacs
 PO Box 607
 Greenwood, DE 19950

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent
 X L. Emerson Isaacs ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery
 L. Emerson Isaacs 08-21-09

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
 (Transfer from service label)

7007 3020 0002 5598 9720

PS Form 3811, February 2004

Domestic Return Receipt

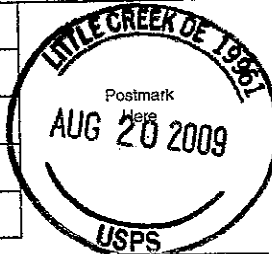
102595-02-M-1540

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54



Send to:
 Str or I Vernon E. Kershaw TR
 City 2612 Grubb Rd
 City Wilmington, DE 19810

PS Form 3800, August 2006 See Reverse for Instructions

7007 3020 0002 5598 9713

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 Wilmington, DE 19810

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 C. Date of Delivery
 D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
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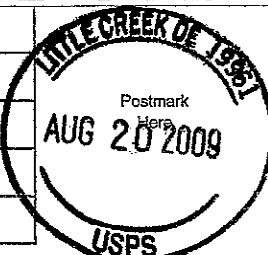
PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

7007 3020 0002 5598 9690

U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
For delivery information visit our website at www.usps.com ®	
OFFICIAL USE	
Postage	\$ 44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54



Sent To	
Street or PO	Donald J Lynch
City, State, ZIP+4	Richard A People 221 Gumboro Rd Selbyville, DE 19975

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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1. Article Addressed to:

Donald J Lynch
Richard A People
221 Gumboro Rd
Selbyville, DE 19975

2. Article Number

(Transfer from service label)

7007 3020 0002 5598 9690

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Donald J. Lynch*

☐ Agent

☐ Addressee

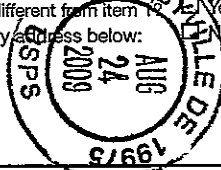
B. Received by (Printed Name)

Don Lynch

C. Date of Delivery

SEP 24 2009

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No



3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

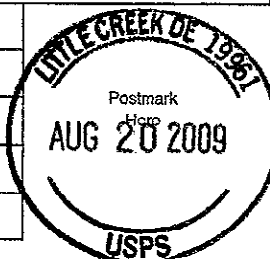
7007 3020 0002 5598 9706

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54



Sent to
 to Frank G Melvin Jr
 at 2936 Paradise Alley Rd
 in Harrington, DE 19952

PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Frank G Melvin Jr
 2936 Paradise Alley Rd
 Harrington, DE 19952

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Frank G Melvin Jr*

☒ Agent

☐ Addressee

B. Received by (Printed Name)

X

C. Date of Delivery

8-21-09

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

FRANK G MELVIN JR

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7007 3020 0002 5598 9706

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

EXHIBIT C

Exhibit C

[illegible]

MAPS

SEE

ORIGINALS

IN DOCKET